

\_AO91 (Rev. 8/01) Criminal Complaint

U.S. MAGISTRATE COURT  
JSH - SOTX  
FILED

JUN -3 2011 CLR

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk  
Laredo Division

UNITED STATES OF AMERICA

V.

Roberto Arturo Garcia Garcia  
San Luis Potosi, San Luis Potosi  
Mexico

(Name and Address of Defendant)

## CRIMINAL COMPLAINT

Case Number: 11-MJ 1061

I, the undersigned complainant state that the following is true and correct to the best of my

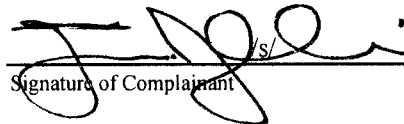
knowledge and belief. On or about May 30, 2011 in Cotulla, Texas La Salle County, in  
(Date)  
the Southern District of Texas, Roberto Arturo Garcia Garcia defendant(s),

a Mexican Citizen, did unlawfully transport Diego Alejandro Trejo Trejo, Jose Noe Martinez Ipina both undocumented Mexican aliens and (4) four other undocumented aliens within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a) (1) (A) (ii)I further state that I am a(n) Senior Border Patrol Agent and that this complaint is based on the  
Official Title

following facts: based on statements of the accused and records of the Department of Homeland Security.

Continued on the attached sheet and made a part of this complaint:

☒ Yes☐ No
  
Signature of Complainant

Federico Aguillon

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 3, 2011

Date

at

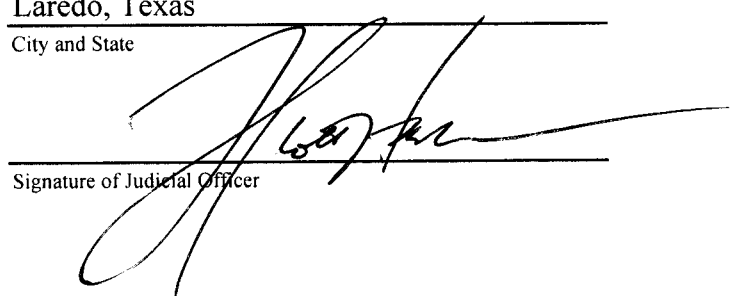
Laredo, Texas

City and State

J. Scott Hacker

U.S. Magistrate Judge

Name and Title of Judicial Officer

  
Signature of Judicial Officer

United States of America

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vs

Roberto Arturo Garcia Garcia

**[CONT OF BASIS OF COMPLAINT]**

On May 30, 2011, at approximately 1420 hours, the Cotulla Border Patrol Station received a callout from radio dispatch of a possible human smuggling load involving a dark-in-color two door vehicle. The vehicle was observed by a concerned citizen that saw the vehicle stop on the side of the road near Interstate 35 and witness several subjects run from the brush and enter a dark in color sedan. This type of behavior is consistent with human smuggling. Border Patrol Agents were observing northbound traffic in marked Border Patrol Unit while driving southbound near the 62 mile marker of Interstate Highway 35.

At approximately 1420 hours they noticed a dark colored sedan pass their location driving Northbound. They proceeded to take a second look at the vehicle. They approached and paralleled the vehicle at the 63 mile marker and noticed two males in the vehicle. In addition, they observed the vehicle was riding low from the rear. They also noticed there were no back seats and what appeared to be people laying down in the back. They attempted numerous times to get the attention of the driver and passenger by waving off hands. The driver and the passenger failed to acknowledge them and appeared very nervous. A Border Patrol Agent requested a vehicle registration, stolen vehicle, and lane registration on the vehicle through radio dispatch. Vehicle was negative on stolen check and negative on lane registration. The vehicle was registered out of Laredo, Texas. Based on all the above articulable facts listed, they decided to perform an Immigration Inspection on the driver and the passengers of the vehicle.

Border Patrol Agents performed a vehicle stop at the near 70 mile marker to perform an immigration inspection on the occupants of the dark colored sedan. They turned on their emergency lights to perform the stop, the vehicle made a sharp right turn off the Highway and onto the access road. The vehicle was immediately stopped and other Border Patrol Agents in marked units arrived to assist. They noticed both the driver side door and passenger side doors open and immediately saw the subjects attempting to flee. Agents at the scene apprehended all the subjects attempting to abscond. An immigration inspection was conducted and concluded all subject were citizens of Mexico not in possession of legal documents allowing them to remain legally in the United States. The driver was later identified as Roberto Arturo Garcia Garcia. All subjects were transported to the Cotulla Border Patrol Station for further processing and questioning.

Upon arrival at the Cotulla Border Patrol Station, the driver (GARCIA-Garcia, Roberto Arturo) freely admitted to have made previous arrangements with an unknown smuggler in Dallas, Texas, regarding the smuggling event. He admitted to have crossed the US-Mexico border with the other subjects and knew that a vehicle was left at a predetermined location. In addition, he was going to receive a discounted fee (\$300.00 from \$ 1,300.00) for driving the illegal aliens to Dallas, Texas.

Material Witness (TREJO-Trejo, Diego Alejandro) Stated he agreed to pay \$2,000 dollars to be smuggled to Dallas, Texas. He was instructed on how to get to a specific location to be picked up by a vehicle. At the Cotulla Border Patrol Station he was able to identify the driver.

Material Witness (Martinez-Ipina, Jose Noe) stated he agree to pay \$2, 000 to be driven to Dallas, Texas. He was provided with specific instructions to the pick destination. At the Cotulla Border Patrol Station, Jose Noe Martinez-Ipina was able to identify the driver of the vehicle.

Driver Roberto Arturo Garcia Garcia will be charged in 8 USC 1324.